



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

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8/1/93

AUG 03 1993

REPLY TO THE ATTENTION OF

HSE-5J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

EPA Region 5 Records Ctr.



273673

RE: Universal Components Site
141 West Railroad Street
Bronson, Michigan
General Notice of Potential Liability and
Request for Information

Dear Sir or Madam:

The United States Environmental Protection Agency (U.S. EPA) has documented the release or threatened release of hazardous substances, pollutants and contaminants at the above referenced Site, and is planning to spend public funds to control and investigate these releases. This action will be taken by U.S. EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §9601 et seq., (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) (SARA), unless U.S. EPA determines that such action will be done properly by a responsible party. Responsible parties under CERCLA include the current and former owners and operators, and persons who generated the hazardous substances or were involved in transport, treatment, or disposal of them at the Site. Under Section 107(a) of CERCLA, 42 U.S.C. §9607(a), where the Agency uses public funds to achieve the cleanup of the hazardous substances, responsible parties are liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the Site, including investigation, planning and enforcement.

The U.S. EPA is currently planning to conduct the following actions at the above referenced Site.

1. Develop and implement Site health, safety, and security measures.

2. Develop and implement an air monitoring plan during Site activities.
3. Sample, characterize, and consolidate all liquids and solid material found in drums, vats, floor sumps, pits, and small containers.
4. Decontaminate and/or dispose of all RCRA empty drums, vats, and small containers.
5. Decontaminate building walls and floors in affected areas.
6. Transport and dispose of all characterized or identified hazardous substances, pollutants, wastes, or contaminants at a RCRA/CERCLA approved disposal facility in accordance with the U.S. EPA off-site policy.

U.S. EPA has received information that your company may have owned or operated or generated or transported hazardous substances that were disposed of at the Site. By this letter, U.S. EPA notifies you of your potential liability with regard to this matter and encourages you, as a potentially responsible party, to reimburse U.S. EPA for costs incurred to date and to voluntarily perform or finance the response activities that U.S. EPA has determined or will determine are required at the Site.

As a potentially responsible party, you should notify U.S. EPA in writing within ten (10) business days of receipt of this letter of your willingness to perform or finance the activities described above. If U.S. EPA does not receive a timely response, U.S. EPA will assume that your organization does not wish to negotiate a resolution of its potential responsibility in connection with the Site and that your organization has declined any involvement in performing the response activities.

Your letter should indicate the appropriate name, address, and telephone number for further contact with you. If you are already involved in discussions with state or local authorities, engaged in voluntary cleanup action or involved in a lawsuit regarding this Site, you should continue such activities as you see fit. This letter is not intended to advise you or direct you to restrict or discontinue any such activities; however, you are advised to report the status of those discussions or actions in your response to this letter and to provide a copy of your response to any other parties involved in those discussions or actions.

In addition, U.S. EPA is seeking to obtain certain other information from you pursuant to its authority under Section 104(e) of CERCLA, 42 U.S.C. Section 9604(e), for the purpose of enforcing CERCLA and to assist in determining the need for response to a release of hazardous substance(s) under CERCLA.

The Administrator of the U.S. EPA has the authority to require any person who has or may have information relevant to any of the following to furnish U.S. EPA with such information: (1) the identification, nature or quantity of materials which have been or are generated, treated, stored or disposed of at, or transported to, a facility; (2) the nature or extent of a release or threatened release of a hazardous substance, pollutant or contaminant at or from a facility; and (3) the ability of a person to pay for or perform a cleanup. Pursuant to CERCLA Section 104(e), you are hereby requested to submit the following information concerning the Universal Components Site at 141 West Railroad Street in Bronson, Michigan.

1. Copies of all shipping documents or other business documents relating to the transportation, storage and/or disposal of waste materials or hazardous substances at the above referenced Site.

2. Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any hazardous substances or materials at the Site? If the answer to the preceding question is anything but an unqualified "no", identify:

- a) The chemical composition, characteristics, physical state (e.g., solid, liquid) of each hazardous substance;
- b) Who supplied you with such hazardous substances;
- c) How such hazardous substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;
- d) When such hazardous substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;
- e) Where such hazardous substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;
- f) What arrangements were made to transport the hazardous substances which were taken to the above referenced Site, including what type of transportation was used (i.e. tankers, dump trucks, drums), and;
- g) The quantity of such hazardous substances used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

3. Copies of all records, including analytical results, and material safety data sheets, which indicate the identity, generic common and/or trade name, amounts and chemical composition and/or chemical character (i.e. liquid, solid, sludge) of the waste material(s) transported to, stored or disposed of at the above referenced Site or offered for transportation to, storage or disposal at the Site.

4. For each hazardous substance please give the location at which it was disposed on the Site. Please include a map of the Site with disposal locations on it.

5. Please provide detailed information regarding any current or previous investigations or cleanup activities in or around the building located at the Site. In addition, please provide the following:

a) A list of any consultants, contractors or subcontractors used to perform the work, or proposed to perform the work, including current addresses and telephone numbers;

b) Copies of all reports, information or data related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about the Site. Provide copies of all documents containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data;

c) Copies of any reports prepared in connection with proposed or performed cleanup activities; and,

d) Copies of all analyses or tests, and results of analyses.

To assist you in answering this request, the information sought pertains to any and all information in your possession, custody or control relating to the operation of the above referenced Site and to the transportation, storage, and/or disposal of hazardous substances or the generation of hazardous substances which were ultimately disposed of or offered for disposal at the Site. The relevant time period for this request is 1940 to the present.

For purposes of this information request, "shipping documents" shall mean all contracts, agreements, purchase orders, requisitions, pick-up or delivery tickets, customs forms, freight bills, shipping memoranda, order forms, weight tickets, work orders, bills, Uniform Hazardous Waste Manifests, and any other similar documents that evidence discrete transactions involving shipment, or the arrangement for shipment, of waste materials to, through, or from, the above referenced Site. "Waste materials" shall mean hazardous substances, solid wastes and hazardous

wastes, and other materials which may or may not contain pollutants or contaminants, and shall include reclaimed and off-specification material of any kind.

This request is directed to your company, its officers, directors, and employees, and its subsidiaries, divisions, facilities and their officers, directors, and employees. The information sought herein must be sent to U.S. EPA within twenty-one (21) calendar days of your receipt of this letter. Failure to respond fully and truthfully to this request, or to adequately justify any failure to respond, may result in an enforcement action against you by U.S. EPA under Section 104 of CERCLA, as amended. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may request however, that any such information be handled as confidential business information. A request for confidential treatment must be made when the information is provided, since any information not so identified will not be accorded this protection by the U.S. EPA. Information claimed as confidential will be handled in accordance with the provisions of 40 C.F.R. Part 2.

The written statements submitted pursuant to this request must be notarized and submitted under an authorized signature certifying that all information contained therein is true and accurate to the best of the signatory's knowledge and belief. Moreover, any documents submitted to U.S. EPA pursuant to this information request should be certified as true and authentic to the best of the signatory's knowledge and belief. Should the signatory find, at any time after the submittal of the requested information, that any portion of the submitted information is false, the signatory should so notify U.S. EPA. If any answer certified as true should be found to be untrue, the signatory can and may be prosecuted pursuant to 18 U.S.C. Section 1001. The U.S. EPA has the authority to use the information requested herein in any administrative, civil or criminal action.

Your responses to both the notice of potential liability within ten (10) days and the information requests twenty-one (21) days, should be sent to:

Debbie F. Regel
U.S. EPA - Region V
Emergency Support Section HSE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604

If you need further information regarding this letter, you may contact Debbie Regel, Emergency Support Section, at (312) 353-7632. Direct any legal questions to James Morris, of the Office of Regional Counsel, at (312) 886-6632.

Due to the nature of the problem at this Site and the attendant legal ramifications, U.S. EPA strongly encourages you to submit a written response within the time frames specified herein. We hope you will give this matter your immediate attention.

Sincerely yours,

Donald J. Bruce

for

Richard C. Karl, Acting Chief
Emergency & Enforcement Response Branch

LIST OF RESPONDENTS RECEIVING GENERAL NOTICE/104(e) LETTER
NORTH BRONSON INDUSTRIAL AREA SITE

Universal Components Corporation
F/K/A Douglas Components Corporation
c/o CT Corporation System
Registered Agent
1 North Capitol
Indianapolis, Indiana 46000-9009

The Scott & Fetzer Company
c/o CT Corporation System
Registered Agent
815 Superior Avenue, N.E.
Cleveland, Ohio 44114

bcc: Jim Morris, ORC (CS-8T)
Pete Guria, OSC (HSE-GI)
Jose Cisneros, ESS (HSE-5J)
Debbie Regel, ESS (HSE-5J)
Toni Lesser, Public Affairs (P-19J)
Sheila Huff, Department of Interior
Alicia Corley, SETS (OS505)
EERB Site File
EERB Read File
Fred Policarpio (HSRLT-5J) w/o attachments
Oliver Warnsley, RP-CRU (HSM-5J)
Mary Tierney, RPM (HSRW-6J)
Lawrence Leveque, Public Affairs (P-19J)